

## Article - Health Occupations

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§10-316.

(a) Except as otherwise provided in the Administrative Procedure Act, before the Board takes any action under § 10-315 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

(b) (1) The Board chairman may delegate the authority to conduct a hearing to a committee consisting of two or more Board members.

(2) The committee shall:

(i) Hold an evidentiary hearing; and

(ii) Prepare a recommended decision for consideration by a quorum of the Board.

(3) The committee shall give notice to the individual of the opportunity to file exceptions and present argument to the Board regarding the recommended decision.

(c) The Board shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(d) The hearing notice to be given to the individual shall be sent by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the last known address of the individual at least 30 days before the hearing.

(e) The individual may be represented at the hearing by counsel.

(f) Over the signature of an officer or the administrator of the Board, the Board may issue subpoenas and administer oaths in connection with any investigation under this title and any hearings or proceedings before it.

(g) If, without lawful excuse, a person disobeys a subpoena from the Board or an order by the Board to take an oath or to testify or answer a question, then, on petition of the Board, a court of competent jurisdiction may punish the person as for contempt of court.

(h) If after due notice the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

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